

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JANELLE L. BARLASS,

Plaintiff,

v.

FARROKH (FRED) SHAHLAPOUR,

Defendant.

ORDER

12-cv-203-slc

Plaintiff Janelle Barlass has submitted a proposed complaint. Plaintiff has asked for leave to proceed *in forma pauperis* and has supported her request with an affidavit of indigency. The factors for determining whether plaintiff qualifies for indigent status are:

- From plaintiff's annual gross income, the court subtracts \$3700 for each dependent excluding the plaintiff.
- If the balance is less than \$16,000, the plaintiff may proceed without any prepayment of fees and costs.
- If the balance is greater than \$16,000 but less than \$32,000, the plaintiff must prepay half the fees and costs.
- If the balance is greater than \$32,000, the plaintiff must prepay all fees and costs.
- Substantial assets or debts require individual consideration.

In this case, plaintiff has two dependants. Plaintiff is unemployed and receives \$864.00 in monthly unemployment benefits. In addition, plaintiff has received approximately \$3,400 from her mother in the last year, which brings plaintiff's annual income to \$13,768. Subtracting \$7,400 from \$13,768 results in a balance of \$6,368.00, well below the threshold to qualify for indigent status. Therefore, plaintiff can proceed without any prepayment of fees or costs.

Accordingly, IT IS ORDERED that plaintiff's complaint is taken under advisement. As soon as the court's calendar permits, plaintiff's complaint will be screened pursuant to 28 U.S.C. § 1915 to determine whether the case must be dismissed either because the complaint is

frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief against a defendant who is immune from such relief. Plaintiff will be notified promptly when such a decision has been made. In the meantime, if plaintiff needs to communicate with the court about this case, she should be sure to write the case number shown above on her communication.

Entered this 26th day of March, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge